

**24, 28, 30, 60 and 66 Howard Park Avenue - Zoning Amendment Application – Final Report**

<b>Date:</b>	October 19, 2012
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 14 – Parkdale-High Park
<b>Reference Number:</b>	11 252109 STE 14 OZ

**SUMMARY**

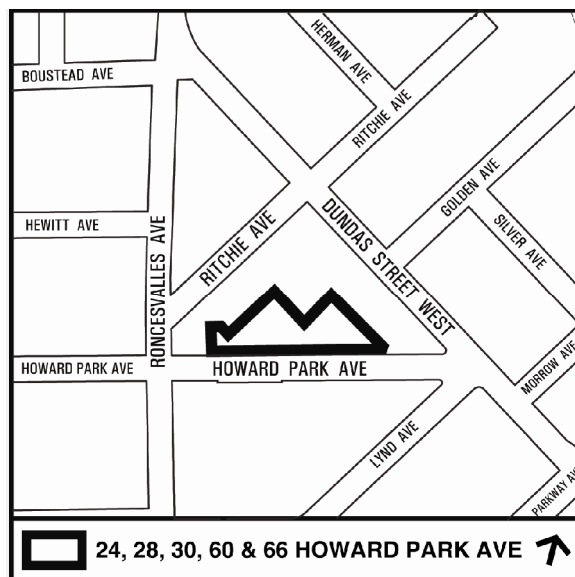
This application proposes to amend the former City of Toronto Zoning By-law 438-86 to permit the development of two new residential buildings. The proposed buildings are 8-storeys in height with stepbacks starting at the 6<sup>th</sup> storey. The proposed west building would include 94 units and the proposed east building 83 units for a total of 177 units. A total of 128 parking spaces are proposed (115 residential parking spaces, 10 visitor parking spaces and 3 autoshare spaces) in two underground parking levels common to both buildings.

This report reviews and recommends approval of the application to amend the Zoning By-law.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend Zoning By-law No. 438-86 for the property at 24-66 Howard Park Ave., substantially in accordance with the draft Zoning By-law Amendment to be provided prior to the Toronto and East York Community Council meeting of November 6, 2012.



2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* as follows:
  - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
    - i. An indexed cash contribution, of \$100,000 toward improvements to Sorauren Park or streetscape improvements to the Dundas-Roncesvalles Peace Garden to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, payable at the first above grade building permit associated with Phase 1 of the development, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the introduction of Bills to the date of payment.
    - ii. An indexed cash contribution, of \$250,000 toward the construction of new affordable housing in Ward 14 to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, payable at the first above grade building permit associated with Phase 1 of the development, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the introduction of Bills to the date of payment.
    - iii. An indexed cash contribution, of \$400,000 to Children's Services toward capital improvements to daycare facilities in Ward 14 to the satisfaction of the General Manager, Children's Services, in consultation with the Ward Councillor, payable at the first above grade building permit associated with Phase 2 of the development, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the introduction of Bills to the date of payment. Capital funds can also be expended where the premises are leased if the term is a minimum of 15 years and the operator is incorporated as not-for-profit.
  - b. The following matters are also recommended to be secured in the Section 37 Agreement as a matter of legal convenience to support the development:

- i. The applicant is required to pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report, to be submitted for review and acceptance by the Executive Director, Technical Services, should it be determined that improvements to such infrastructure are required to support the development.
  - ii. The applicant be required to enter into a construction management agreement to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor.
- 4. City Council request the Chief Planner and Executive Director, City Planning Division address the following issues through the site plan process:
  - i. request additional information regarding the extensive landscaping to ensure that the plant material proposed for the balconies and rooftop areas will be able to grow as proposed;
  - ii. secure an appropriate treatment of the at-grade units on Howard Park Avenue to ensure an attractive and functional interface with the street for these proposed 'convertible' units for either the permitted retail/commercial or residential uses;
  - iii. require an appropriate streetscape design, including the possibility of the placement of street furniture and bicycle rings; and
  - iv. require additional details regarding the treatment of the top floors of the proposed building adjacent the existing building at 25 Ritchie Street to address issues of privacy and overlook.

## **DECISION HISTORY**

## **ISSUE BACKGROUND**

### **Proposal**

The application proposes two new residential buildings. The proposed western building is comprised of a 3-storey (8.72 metre) portion at the south-west corner of the property and an 8-storey building with stepbacks beginning at the 6<sup>th</sup> floor with a height of 23.9 metres. The proposed building would include 94 units comprised of: 4 two-storey residential townhouses at grade; 5 bachelor units; 31 one-bedroom units; 20 one-bedroom plus den units; 12 two-bedroom; 19 two-bedroom plus den units; and 3 three-bedroom units. The proposed easterly building is also 8-storeys with stepbacks beginning at the 6<sup>th</sup> floor and a height of 23.9 metres with a small mechanical element (elevator overrun) adding another 0.9 metres in height for a total height of 24.8 metres. The proposed easterly building includes 83 units, comprised of: 5 two-storey residential townhouses; 2 bachelor units; 11 one-bedroom units; 35 one-bedroom plus den units; 18 two-bedroom units; 6 two-bedroom plus den units; and 6 three-bedroom + den units.

At-grade retail units are proposed on Howard Park Avenue, with the provision that these units could be built as, or converted to, either commercial units or residential units. In the event these 'convertible' at-grade units are built to accommodate commercial/retail uses, the second storey portion of the proposed townhouse units would become 1-bedroom units. The buildings would have a combined gfa of 16,483 square metres, resulting in a floor space index of 4.15 times the area of the lot. The ground floor portion of the grade related units fronting on Howard Park Avenue have a gfa of 1,005 square metres. If these 'convertible' units are used for commercial purposes, the residential gfa is reduced to 15,478 square metres.

The proposed buildings would have a five storey street wall on Howard Park Avenue and would step back from the street at each additional storey. The buildings are proposed to be connected by a landscaped courtyard. The development effectively matches the triangular configuration of the site with the proposed buildings meeting the street diagonally.

Servicing and vehicular access for the development would be from a private laneway which forms the northern boundary of the site. A total of 128 parking spaces are proposed (115 residential parking spaces and 10 visitor parking spaces) in two underground parking levels common to both buildings. Three autoshare spaces are also proposed as part of the total. No parking is proposed for the retail/commercial units. A total of 131 bicycle parking spaces for residents and 20 spaces for visitors are proposed.

309 square metres of indoor residential amenity space and 530 square metres of outdoor amenity space are proposed. The By-law requirement for amenity space (indoor and outdoor) is 2 m<sup>2</sup> per unit, or 354 m<sup>2</sup>. See Attachment 9 – Application Data Sheet.

## **Phasing**

The applicant proposes to construct the development in two phases. Phase 1 will be comprised of the eastern building and associated parking facilities and phase 2 of the development will be comprised of the western building and associated underground parking facilities.

## **Site and Surrounding Area**

The site is located on the north side of Howard Park Avenue between Roncesvalles Avenue to the west and Dundas Street West to the east. It is currently occupied by commercial and light industrial uses associated with the automobile industry. There is one residential unit on the site. The site has an area of 3,987m<sup>2</sup> (approximately 1 acre) and has a triangular configuration, resulting in irregular side and rear lot lines. The site has a frontage of approximately 142 metres on Howard Park Avenue.

The site is surrounded by the following uses:

North: The northern edge of the site is defined by the side and rear lot lines of the 6-storey residential building on Ritchie Avenue (Roncesvalles Lofts) and the rear

yards of the 2 to 3-storey grade-related residential houses on the south side of Ritchie Avenue. To the north of the Roncesvalles Lofts are the rear yards of the commercial properties on the south side of Dundas Street West.

South: To the south of the subject site is Howard Park Avenue. On the south side of Howard Park Avenue across from the site are grade-related houses of two and three storeys and an 11- storey apartment building.

West: To the west of the site are commercial properties at the corner of Roncesvalles Avenue and Howard Park Avenue. Beyond these properties are residential uses on the west side of Roncesvalles Avenue and a mix of commercial and residential uses on the east side of Roncesvalles Ave.

East: The eastern edge of the site is defined by a private laneway with easements in favour of the owners of the subject site. To the east of the laneway are the rear yards of commercial properties on Dundas Street West.

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

### **Official Plan**

The site is designated Mixed Use Areas in the City of Toronto Official Plan which permits the proposed residential and commercial uses. The Official Plan anticipates that the Mixed Use Areas will absorb most of the anticipated increases in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. Development within Mixed Use Areas is guided by development criteria in the Official Plan and will be massed to provide an appropriate transition between areas of different development intensity and scale. Limiting impacts of new development such as shadowing are to be accomplished through measures such as providing appropriate setbacks and/or stepping down of building heights among other considerations.

### **Zoning**

The site is zoned I1 D2 by Zoning By-law 438-86, as amended (see Attachment 8 - Zoning Map, By-law No. 438-86). The I1 D2 Zone permits a range of industrial, light

industrial and commercial uses and imposes a height limit of 14.0 metres. Residential uses are not permitted in the I1 D2 zone.

### **Site Plan Control**

The proposed development is subject to site plan approval. A site plan application has been submitted and is currently under review. Staff have identified a number of outstanding site plan issues which will be required to be addressed through the review of the application.

### **Reasons for Application**

The applicant has submitted a Zoning By-law Amendment application to permit residential uses based upon the submitted proposal. The existing I1 D2 zoning does not permit residential development. In addition, the proposed building does not comply with other restrictions that are in effect on the lands.

### **Community Consultation**

A Community Consultation meeting was held on November 28, 2011. Notice of the meeting was provided to residents in the area bounded by Boustead Ave. to the north, the rail corridor and Sorauren Ave. to the east, Grenadier Road to the south and Indian Road (north of Howard Park Ave.) and Sunnyside Ave. (south of Howard Park Ave.) to the west. The meeting was attended by approximately 70 residents. The issues raised in the meeting included:

- the proposed height and massing are not an appropriate fit with the neighbourhood;
- a height at 6-storeys would be more appropriate;
- the terracing of the proposed building should start at a lower level;
- residents of the adjacent homes on Ritchie Street and the adjacent condominium development at 25 Ritchie Street were concerned about the impact of the development on their privacy as a result of the proposed height and massing of the building;
- the lack of capacity of schools in the area and the adequacy of facilities for families with children such as parks;
- could geothermal heating be used;
- the quality of finishes and the use of modern materials versus a more traditional brick cladding;
- the proposed townhouses represent a lost opportunity to extend the retail uses on Roncesvalles Ave. up to the retail strip on Dundas Street West and create a more animated street;
- there will be a need for a construction management agreement and an ongoing dialogue with residents to manage issues such as noise, dust and traffic resulting from construction;
- mature trees in the rear portion of the homes on Ritchie Avenue will likely be lost as the result of the proposal to extend the underground parking garage to the lot lines adjacent these yards;

- crowding in the laneway is a problem which may be exacerbated by the number of residents and visitors using the laneway to access the building;
- the proposed parking is excessive in a neighbourhood with good access to public transit; and
- how will the proposed extensive planting on the rooftops and balconies be maintained.

## **Changes to the Proposal**

As a result of the numerous issues raised at the community consultation meeting, the local Councillor requested that the applicant's consultants and City staff meet with a group of local residents to discuss the issues raised at the meeting and possible solutions. These 'working group' meetings were held on January 10, January 24 and March 8, 2012. The applicant revised proposal submitted on March 26, 2012 included several important changes made as a result of the working group process and input from City staff. These include:

- pulling back the underground parking garage in the rear yard adjacent the houses on Ritchie Avenue. This allows the mature trees in the rear yards to be maintained;
- reducing the number of units from 200 to 177;
- reducing the height of the western portion of the westerly building from 6-storeys (18.1 metres) to 3-storeys (8.7 metres). This reduces the issues of overlook and loss of privacy for residents of the homes on Ritchie Avenue and reduces the impact of the proposal on the canopy of a mature tree in an adjacent rear yard;
- reducing the overall height of the eastern buildings from 10-storeys (30.2 metres) to 8-storeys (23.9 metres);
- reducing the resident parking to recognize access to public transit;
- increasing the bicycle parking spaces provided; and
- incorporating retail uses at-grade on Howard Park Avenue. These have been proposed in the applicant's revised submission as 'convertible units', which could be either retail or residential.

## **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

This application supports the 2005 Provincial Policy Statement (PPS) direction of intensification to achieve growth and urban vitality while making efficient use of existing infrastructure. This application also complies with the policies of the PPS that support intensification and require new development to be directed to appropriate locations for growth through municipal official plans.

Policy 1.4.3 requires provision to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents by, among other means, facilitating all forms of residential intensification and redevelopment and promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of public transit.

Policy 1.6.5.4 promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports the development of viable choices and plans for public transit and other alternative transportation modes.

The proposed development complies with the above policies and other relevant policies of the Provincial Policy Statement and Plans by: making efficient use of the existing infrastructure; providing a mix of residential unit sizes and by being within a short walk of the Bloor-Dundas subway station and other surface TTC routes.

The proposed development also meets the policies of the Provincial Growth Plan. The Growth Plan promotes increasing intensification of the existing built-up area with a focus on areas of the City such as major transit station areas. The site is well served by higher-order transit, as Howard Park Avenue, Roncesvalles Avenue to the west and Dundas Street West to the north are all served by streetcar lines. The site is also only a few blocks from the Bloor-Dundas subway station.

Section 2.2.5.1 of the Growth Plan requires that the planning of higher order transit corridor areas strive to achieve:

- increased residential and employment densities that support and ensure the viability of existing and planned transit service levels; and
- a mix of residential, office, institutional and commercial development wherever appropriate.

The proposed development will increase residential densities in on Howard Park Avenue, which has good access to public transit.

## **Land Use**

The site is designated as *Mixed Use Areas* in the Official Plan. *Mixed Use Areas* are intended to achieve a multitude of planning objectives by combining a broad array of residential, office, retail and service uses. *Mixed Use Areas* are intended to be areas which allow residents to live, work and shop in the same area, even the same building, giving individuals an opportunity to be less dependent upon their automobiles, while creating districts along transit routes that are animated, attractive, and safe. Although *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service uses in the City, not all *Mixed Use Areas* will experience the same scale or intensity of development. The highest buildings and greatest intensity will occur in the *Downtown*, with decreased intensity and scale in the *Centres* and along *Avenues*.



The development criteria contained within Section 4.5.2 of the Official Plan seeks to ensure that, among other matters, development in *Mixed Use Areas* creates a balance of high quality commercial, residential, institutional uses that reduce automobile dependency while meeting the needs of the local community. The Plan also seeks to create and sustain well paid, stable, safe and fulfilling employment opportunities on lands designated *Mixed Use Areas*. Staff have determined that the proposed mid-rise development is appropriate for this site and complies with *Mixed Use Areas* Policies contained within the Official Plan.

The subject site is not identified as being within the Avenues as identified on Map 2, the Urban Structure Map. However, properties on the south side of Dundas Street West on the north side of the private lane which abuts the subject site are identified as being subject to the Avenues policies. The staff report on the Midrise Study noted that although the Guidelines were to provide performance standards and recommendations for mid-rise buildings on the Avenues, they may also be appropriate and useful to guide the review of proposals for mid-rise buildings in *Mixed Use Areas* not on Avenues. Given the proximity of the Avenues sites on Dundas Street West, the size of the subject site and that fact that it displays the same proximity to higher order transit as many Avenues sites, staff have evaluated the proposed development based upon the City's Avenues and Mid-Rise Buildings Study design criteria. These include a review of the proposed development based on standards for height, setbacks, stepbacks, angular plane relationships and relationships to adjacent streets. These criteria are designed to address issues such as shadowing, overlook and appropriate massing.

### **Context Analysis**

Notwithstanding that the subject site is not on an Avenue, the applicant, at the request of City Planning staff, prepared a massing analysis of the impact of the proposed development on adjacent properties on Dundas Street West which are also designated as *Mixed Use Areas* and identified as being within the Avenues as identified on Map 2, the Urban Structure Map. Staff are satisfied, based on this analysis and discussions with the applicant, that the proposed development will not negatively impact the development potential for the adjacent Avenues site on Dundas Street West.

### **Midrise Guidelines**

Toronto City Council, at its meeting of July 8, 2010, adopted the recommendations contained in the staff report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study", with modifications. The main objective of this City-wide Study is to encourage future intensification along Toronto's *Avenues* that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. The Avenues and Mid-rise Buildings Study identifies a list of best practices, categorizes the Avenues based on historic, cultural and built form characteristics, establishes a set of performance standards for new mid-rise buildings and identifies areas where the performance standards should be applied.

The Performance Standards are intended to be used as tools to implement both the Official Plan's *Avenues* and *Neighbourhoods* policies, maintaining a balance between reurbanization and stability. The Performance Standards give guidance about the size, shape and quality of mid-rise buildings and are intended to respect Section 2.3.1 of the Official Plan.

The application has been reviewed against the Performance Standards contained within the Avenues and Mid-Rise Buildings Study. The applicant has been able to satisfy a majority of the 36 performance standards contained within the study and where they do not meet a specific performance standard it is minor, and there is no adverse impact on the surrounding properties. This review is further outlined below.

## **Height**

Performance Standard 1 of the Mid-rise and Avenues Study identifies that the maximum allowable height of the *Avenues* will be no taller than the width of the *Avenue* right-of-way. On Howard Park Avenue, which has a right-of-way width of 20 metres at this location, a mid-rise building consisting of commercial uses at grade and residential dwelling units above, can be a maximum of 20-metres in height, or 6 storeys. The study also recognizes that building height is only one aspect of regulating building design. Performance Standard 13 – Roofs and Roofscapes, identifies that mechanical penthouses may exceed the maximum height limit by up to 5 metres, but may not penetrate the angular plane. Therefore, a 20 metre building with a mechanical penthouse of 5 metres, for a total of 25 metres is recognized.

The applicant's proposed development as shown in the draft by-law attached to this report permits two buildings with overall heights of 23.92 metres. The street wall height of the buildings, however, is typically 5-storeys (14.62 metres at the slab and an additional 1.1 metres for the balcony railing for a height of 15.72 metres). The 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> floors step back in a saw-tooth pattern so that the walls face the street diagonally. The eastern building has a small elevator overrun which projects 0.9 metres above the roof for a total height of 24.82 metres. This overall height is also consistent with other recently approved mid-rise buildings on Dundas Street West.

## **Built Form**

The Official Plan identifies that developments may be considered not only in terms of the individual building and site, but also in terms of how that building and site fit within the context of the neighbourhood and the City. Section 4.5 of the Official Plan sets out criteria to evaluate development within the "*Mixed Use Areas*" designation. All new development within "*Mixed Use Areas*" is required to locate and mass new buildings to frame the edge of the streets, maintain sunlight and comfortable wind conditions, and locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives contained within the Plan. These objectives are addressed by ensuring that developments provide appropriate setbacks and/or stepping down of heights between areas of different development intensity and scale, and by locating and massing new buildings in a manner that is sensitive and limits shadow impacts during the spring and fall equinoxes.

The atypical shape of the property is a factor in deploying height and density on the site. The applicant's property has several different yard relationships with the adjacent properties, including: commercial properties fronting on Dundas Street West; a 6-storey condominium apartment building at 25 Ritchie Avenue; grade related 2 to 3-storey homes on Ritchie Avenue; and a single storey commercial building adjacent Roncesvalles Avenue. The irregular shape of the parcel and the variety of interfaces with adjacent properties poses challenges in providing appropriate transitions, particularly as it relates to the issues of privacy and overlook.

The reduction in the height of the proposed eastern building from 10-storeys to 8-storeys provides a better transition to the adjacent 6-storey building at 25 Ritchie Avenue. The buildings adjoin each other up to the 6<sup>th</sup> floor of the proposed building, which generally lines up with the 5<sup>th</sup> floor of the 25 Ritchie Ave. building. A 3.4 metre setback at the 8<sup>th</sup> floor of the proposed building will be used as an inaccessible green roof and will therefore lessen the overlook and reduce the loss of privacy for the rooftop amenity space for the adjacent building.

The rear yard relationship with the rear yards of the semi-detached and detached units on Ritchie Avenue is sensitive given the potential for loss of privacy due to the overlook conditions created by the proposed development. The proposal provides a 7.5 metre rear yard setback and generally meets a 45 degree angular plane from 10.5 metres in height. Where the proposed massing of the building projects into the angular plane (the terrace on the 7<sup>th</sup> floor and a portion of the roof of the 8<sup>th</sup> floor), a non-accessible green roof has been proposed to reduce the overlook and loss of privacy. This rear yard condition has also been improved by the applicant's revised submission which pulled back the underground parking from this yard to reduce the impact on the mature trees in the adjacent rear yards. The reduction of the height of the western portion of the western building from 6-storey to 3-storeys also helps to preserve the canopy of a mature tree. The preservation of these trees is important as they act as a buffer to preserve privacy for residents of both properties.

### **Sun and Shadow**

The applicant was required to submit a sun/shadow study for March 21<sup>st</sup> and June 21<sup>st</sup> for City staff to review. The study shows that there will be some shadow impact on the rear yards of the properties on Ritchie Ave. in the mornings (particularly in the winter months) and on the commercial properties fronting Dundas Street West to the east and on Howard Park Avenue in the late afternoon and evening hours. However, the shadows on adjacent properties are acceptable.

### **Traffic Impact, Access, and Parking**

The vehicular access and servicing for the site is off the private lane to the north-east of the site. Concerns were raised at the community meeting about crowding in the laneway, which is used for loading purposes by the commercial uses fronting on Dundas Street West. The laneway is wide, at 9.14 metres in width. The applicant owns a 4.5 metre wide portion of the laneway adjacent to their property. The use of the laneway is

governed by various rights-of-ways which grant the owners of this development, as well as adjacent owners, use of the laneway.

The applicant has proposed the location of a Type G loading space (3.5 metres wide) on their portion of the laneway. Transportation Services staff had expressed concerns regarding the storage of garbage bins in the laneway, given the shared nature of the ownership. The applicant has agreed to provide a storage room in the building which will be used to store garbage bins. The movement of the garbage bins and pick-up will be governed by provisions of the site plan control agreement for the development. Pick-up of garbage for commercial/retail units on Howard Park will be by private refuse collection services.

The parking supply proposed by the applicant has been reduced from the first submission, which proposed 163 parking spaces (139 residential parking spaces and 24 visitor parking spaces). The current proposal is for 128 parking spaces (115 residential parking spaces and 10 visitor parking spaces) in two underground parking levels common to both buildings. Three autoshare spaces are also proposed as part of the total. No parking is proposed for the retail/commercial units.

The reduction in the parking supply has allowed the applicant to reduce the footprint of the underground parking garage to pull back from the rear yard adjacent the homes on Ritchie Avenue. This in turn has provided the opportunity to reduce the impacts on the mature trees in these yards and maintain a measure of privacy for residents of the existing and future residents.

Transportation Services staff are not in a position to support a reduction in proposed parking for the development based on the information contained in the applicants transportation study. Transportation Services staff, however, do support a reduction on the required visitor parking supply from 0.25 spaces per unit to 0.12 spaces per unit (21 spaces required) and a reduction in the resident parking supply of four spaces for each car-share space provided, to a maximum of three car-share spaces. The draft by-law attached to this report would require that the applicant provide parking in accordance with By-law 438-86, notwithstanding the above noted reductions in visitor parking and resident parking associated with the car-share spaces. This would result in a parking supply of 162 spaces (138 spaces for residents, 20 spaces for visitors and 3 car-share spaces).

### **Bicycle Parking**

The Official Plan contains policies which encourage reduced automobile dependency as well as promoting alternative modes of transportation. The policies contained within the Plan attempt to increase the opportunities for better walking and cycling conditions for residents of the City. The applicant proposes to provide a total of 131 bicycle parking spaces for residents and 20 spaces for visitors. The proposed bicycle parking is satisfactory to the City and will be secured as a performance standard within the Zoning By-law Amendment.

## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The applicants original submission proposed 200 units on a site with a net area of 3,987m<sup>2</sup>. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.266 hectares or 66.8% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% is applied to the residential use. In total, the parkland dedication requirement is 399m<sup>2</sup>.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate, as there is no location for an on-site parkland dedication of 399m<sup>2</sup> and the site would be encumbered with below grade parking.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

## **Streetscape**

The proposed convertible units at-grade on Howard Park Avenue will animate the street and will either reflect the residential character of south side of Howard Park Avenue (if constructed as residential units) or will continue the pattern and character of retail uses on Roncesvalles Avenue to the west. New street trees will be planted on Howard Park Avenue. The applicant has proposed an irrigation system for the tree pits. The Transportation Services Division has indicated that encroachment into the public right-of-way for the irrigation system is acceptable in principle.

## **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. The applicant is required to meet Tier 1 of the TGS.

The site specific zoning by-law will secure performance measures for the following Tier 1 development features: Automobile Infrastructure, Cycling Infrastructure and the Storage and Collection of Recycling and Organic Waste. Other applicable TGS performance measures, including Bird Friendly Design, will be secured through the Site Plan Approval process.

## Section 37

Section 37 of the *Planning Act* allows the City to grant increased density and/or height in exchange for community benefits. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: parkland and/or park improvements above and beyond the parkland dedication; public art; streetscape improvements on the public boulevard not abutting the site; and other works detailed in Section 5.1.1.6 of the Official Plan. Section 37 may also be used as may otherwise be agreed upon, subject to the policies contained in Chapter 5 of the Official Plan.

The community benefits recommended to be provided and secured in the Section 37 Agreement are as follows:

- i. An indexed cash contribution, of \$100,000 toward improvements to Sorauren Park or streetscape improvements to the Dundas-Roncesvalles Peace Garden to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, payable at the first above grade building permit associated with Phase 1 of the development, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the introduction of Bills to the date of payment.
- ii. An indexed cash contribution, of \$250,000 toward the construction of new affordable housing in Ward 14 to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, payable at the first above grade building permit associated with Phase 1 of the development, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the introduction of Bills to the date of payment.
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The following matters are also recommended to be secured in the Section 37 Agreement as a matter of legal convenience to support the development:

- i. The applicant is required to pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report, to be submitted for review and acceptance by the Executive Director, Technical

Services, should it be determined that improvements to such infrastructure are required to support the development.

- ii. The applicant be required to enter into a construction management agreement to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor.

### **Development Charges**

It is estimated that the development charges for this project will be \$1,442,447. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

### **Conclusion**

Staff recommend that this proposal for two terraced 8-storey mixed-use buildings at 24-66 Howard Park Avenue be approved. The buildings as revised comply with the Official Plan by intensifying a vacant Mixed Use site which has characteristics similar to sites on Avenues. The proposed development will provide transition from the taller portions of the building to the adjacent smaller scale residential uses to the north and west and will improve the streetscape along Howard Park Avenue.

### **CONTACT**

Dan Nicholson, Senior Planner  
Tel. No. (416) 397-4077  
Fax No. (416) 392-1330  
E-mail: [dnichol2@toronto.ca](mailto:dnichol2@toronto.ca)

### **SIGNATURE**

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Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

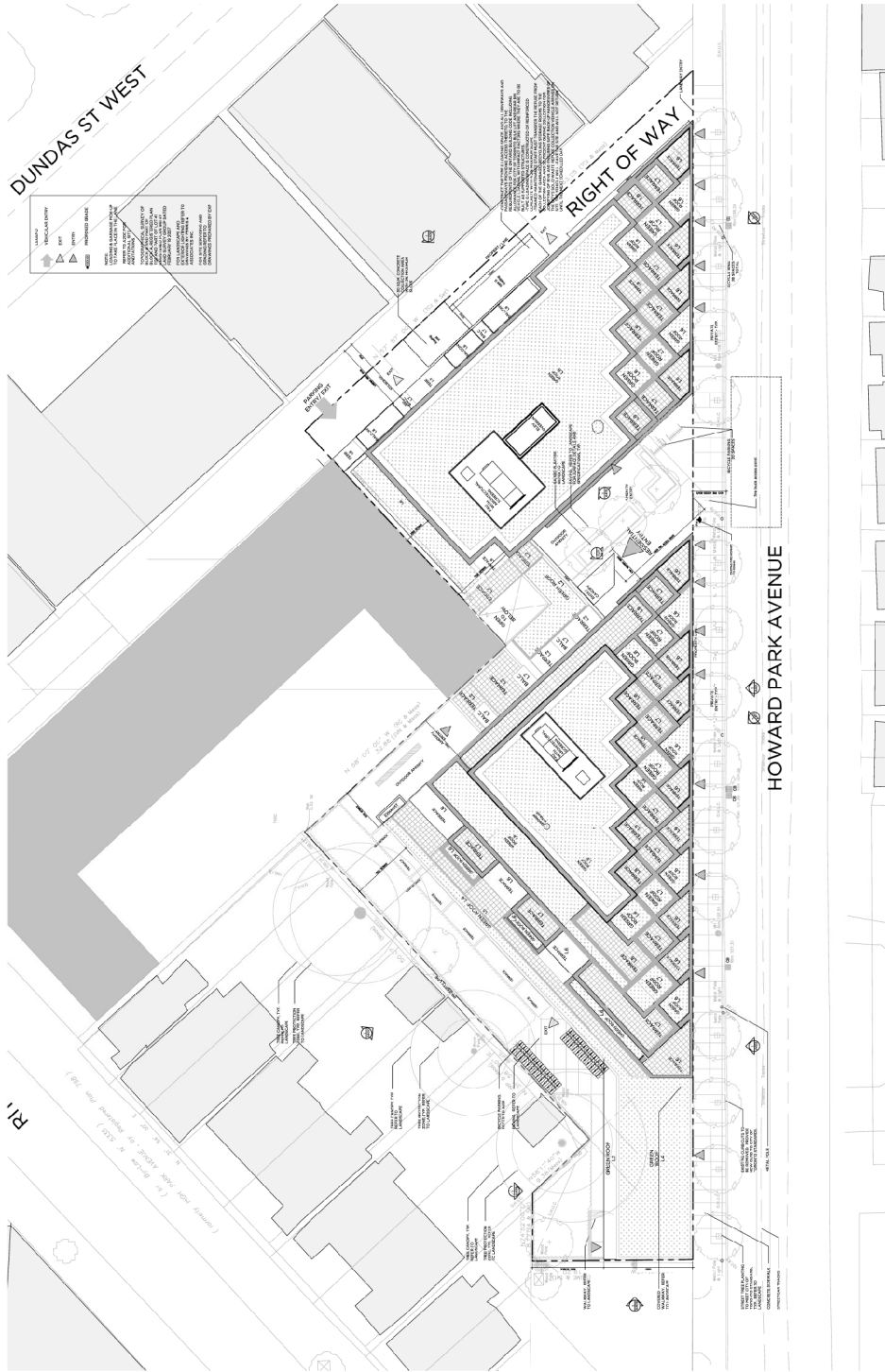
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## **ATTACHMENTS**

- Attachment 1: Site Plan
- Attachment 2: South Elevation – West Building
- Attachment 3: South Elevation – East Building
- Attachment 4: Northwest Elevations – East Building
- Attachment 5: North Elevations – West Building
- Attachment 6: Southwest Elevation – East Building
- Attachment 7: Northwest Elevation – West Building
- Attachment 8: Zoning
- Attachment 9: Application Data Sheet
- Attachment 10: Draft Zoning By-law



**Attachment 1: Site Plan**



**Site Plan**

**24-66 Howard Park Avenue**

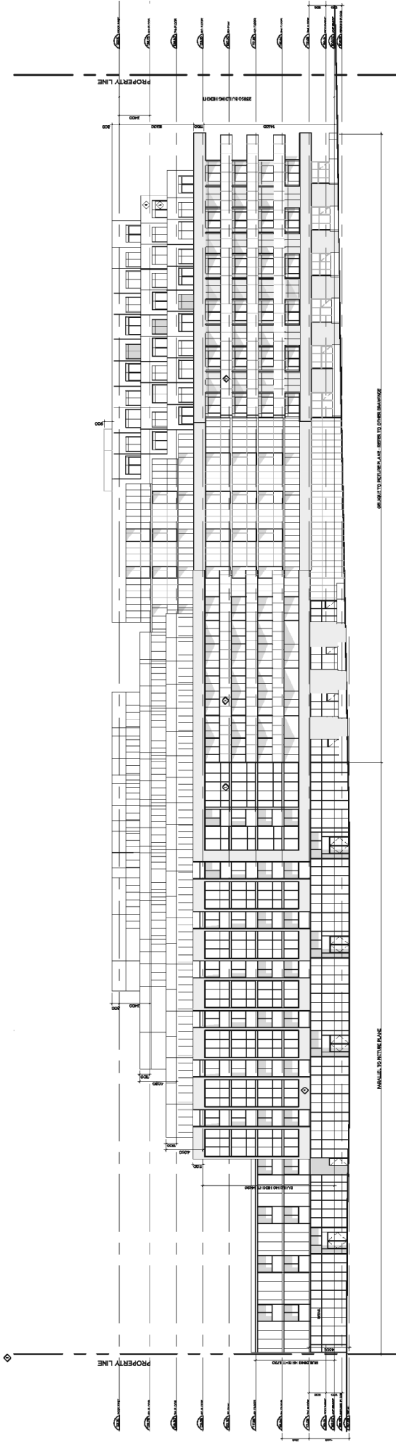
Applicant's Submitted Drawing

Not to Scale  
08/03/2012

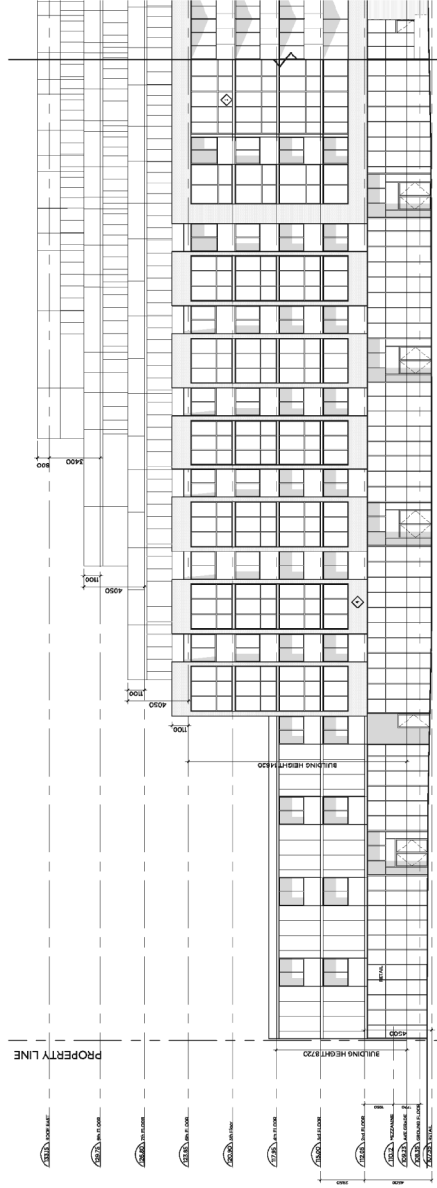


File # 11 252109 02

**Attachment 2: South Elevation – West Building**



**South Elevation - Overall**



**South Elevation - West Building**

**Elevations**

**24-66 Howard Park Avenue**

Applicant's Submitted Drawing

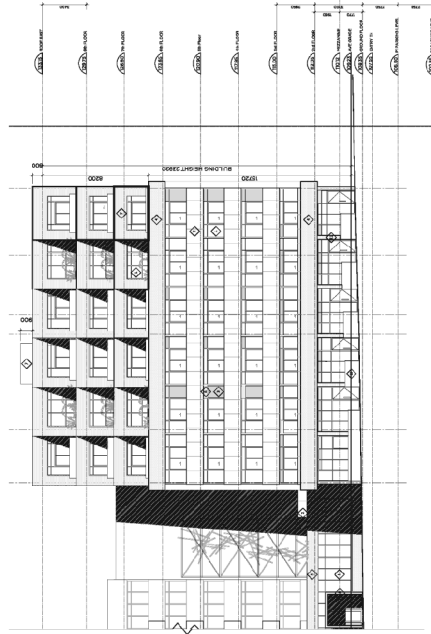
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File # 11 252109 0Z

Attachment 3: South Elevation – East Building



Southeast Elevation - West Building



Southeast Elevation - East Building

Elevations

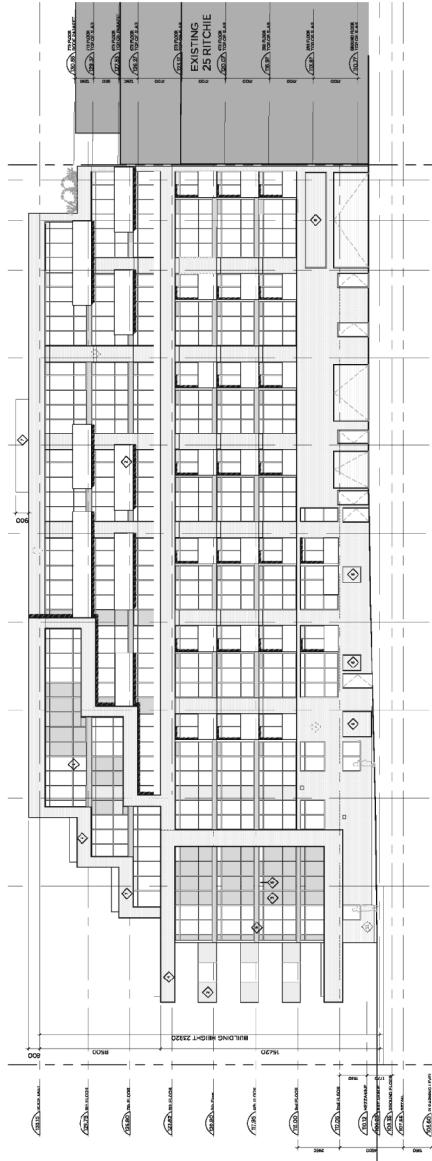
Applicant's Submitted Drawing

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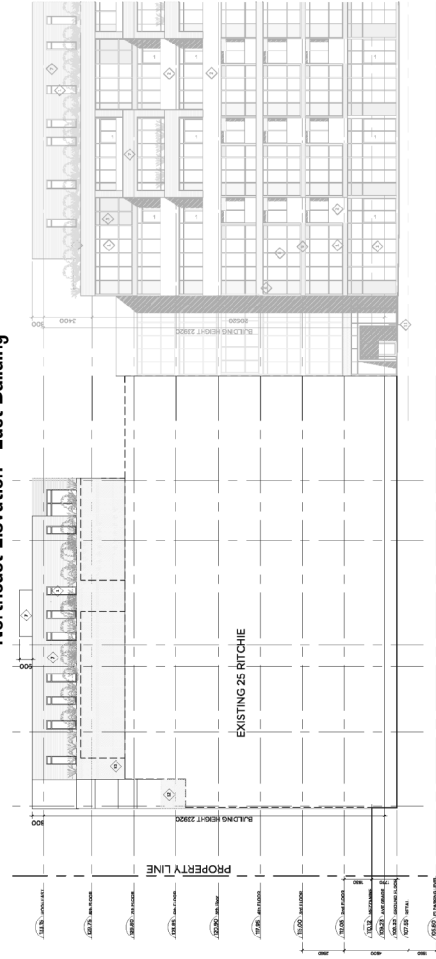
24-66 Howard Park Avenue

File # 11 252109 02

Attachment 4: Northwest Elevation – East Building



Northeast Elevation - East Building



Northwest Elevation - East Building

Elevations

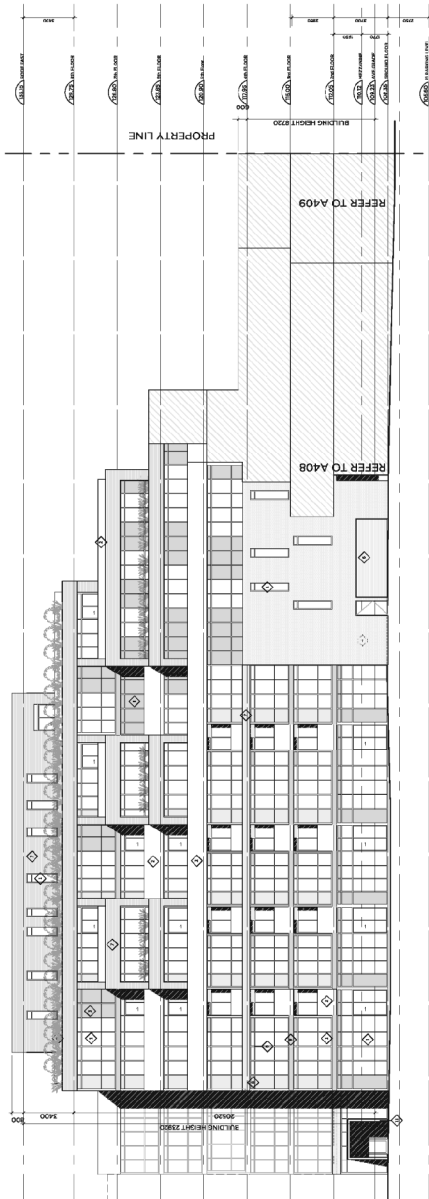
24-66 Howard Park Avenue

Applicant's Submitted Drawing

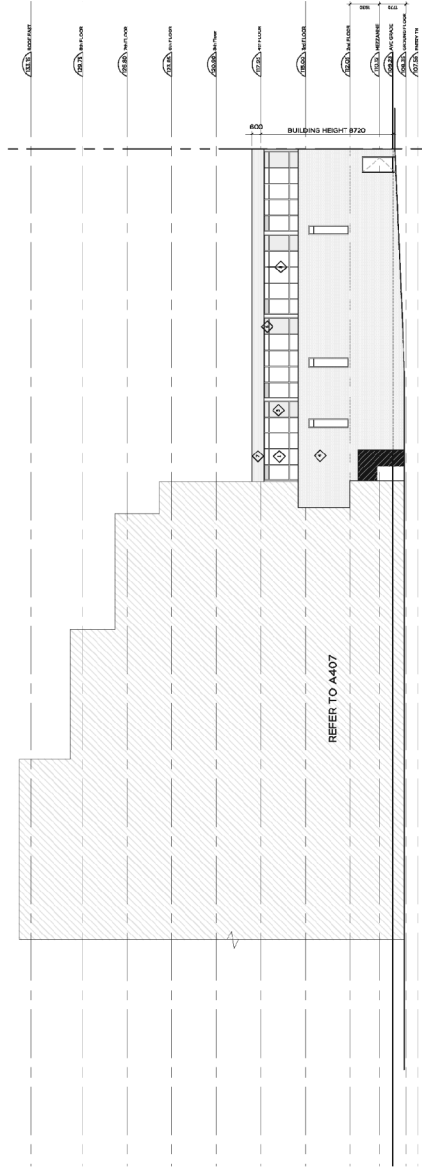
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File # 11 252109 0Z

**Attachment 5: North Elevation – West Building**



**Northwest Elevation - West Building**



**North Elevation - West Building**

**Elevations**

Applicant's Submitted Drawing

Not to Scale  
08/03/2012

**24-66 Howard Park Avenue**

File # 11 252109 0Z

Attachment 6: Southwest Elevation – East Building



Elevations

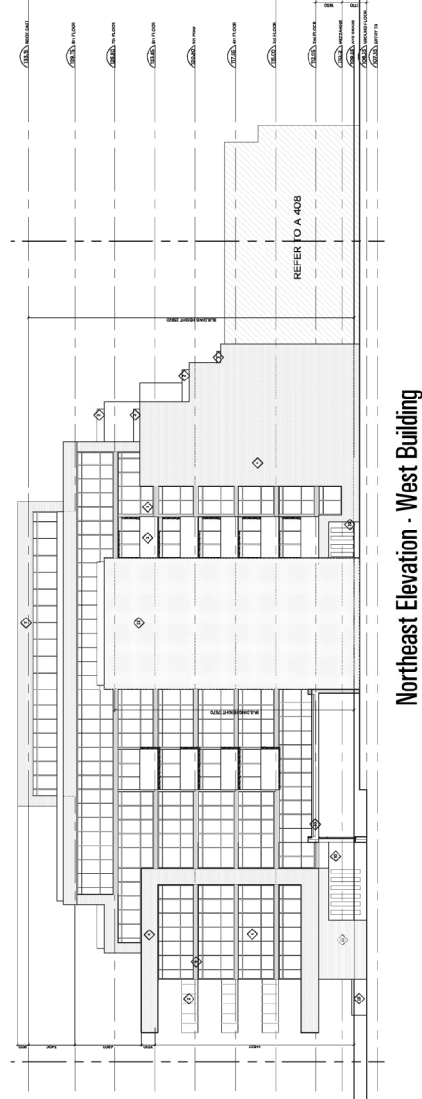
Applicant's Submitted Drawing

Not to Scale  
08/03/2012

24-66 Howard Park Avenue

File # 11 252109 0Z

**Attachment 7: Northwest Elevation – West Building**



**Elevations**

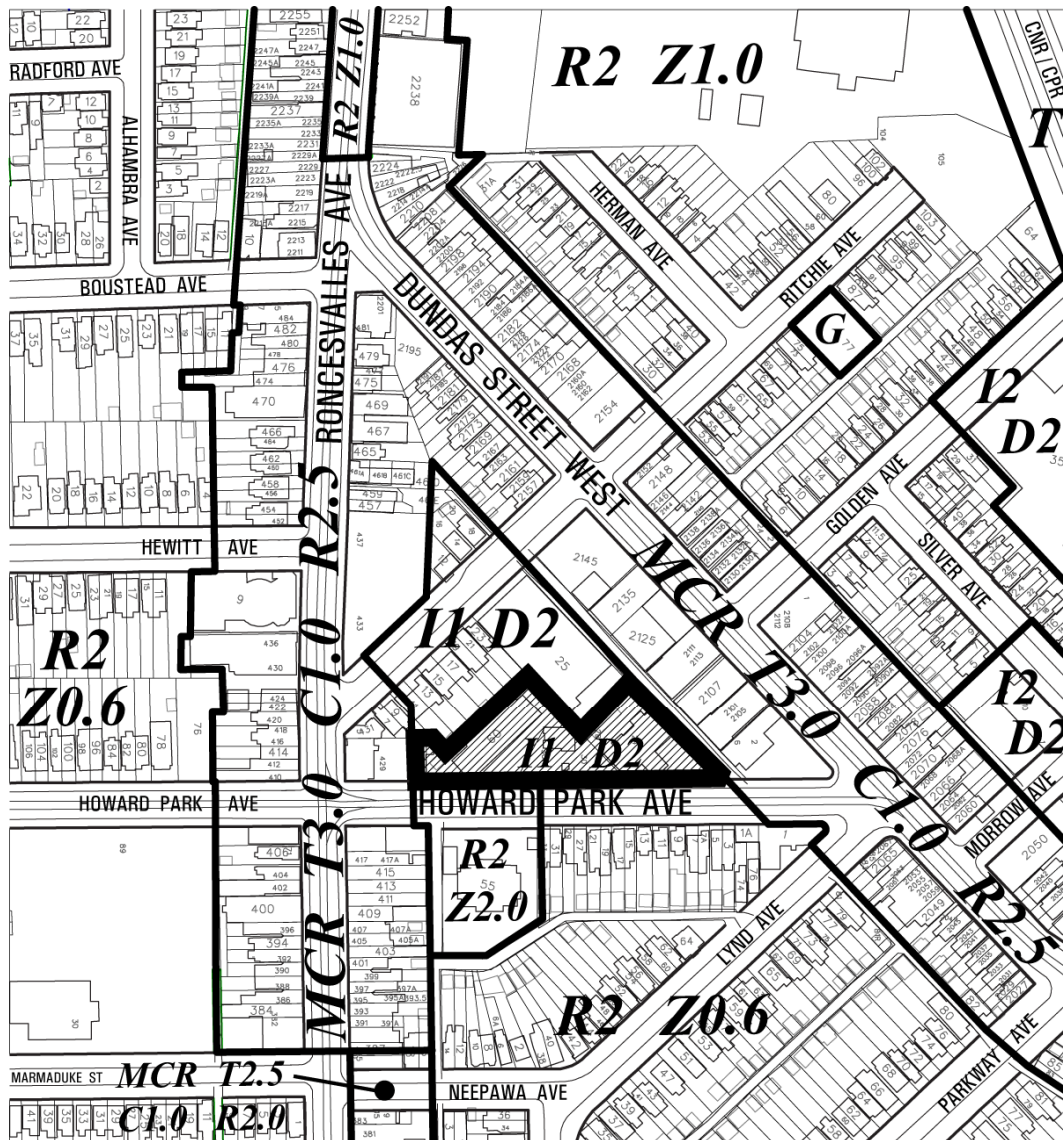
Applicant's Submitted Drawing

Not to Scale  
08/03/2012

**24-66 Howard Park Avenue**

File # 11 252109 0Z

Attachment 8; Zoning



24, 28, 30, 60 and 66 Howard Park Ave

Zoning City of Toronto By-law 438-86

File # 11\_252109\_02

- G Parks District
- R2 Residential District
- MCR Mixed Use District
- I1 Industrial District



Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 09/19/2011



**Attachment 9: Application Data Sheet**

Application Type      Rezoning      Application Number:    11 252109 STE 14 OZ  
 Details                Rezoning, Standard      Application Date:        August 5, 2011  
 Municipal Address:    66 HOWARD PARK AVE  
 Location Description: PLAN 981 PT LOT 41 PLAN 1158 PT BLK B \*\*GRID S1403  
 Project Description:    Rezoning application for 24, 28, 30, 30 A, 60 and 66 Howard Park Ave. The application proposes two new residential buildings. The proposed west building is 6-8 stories - 94 units (include 4 townhouse). The proposed east building is 6-8 stories - 83 units (including 5 townhomes). A total of 128 parking spaces are proposed (115 residential parking spaces and 10 visitor parking spaces plus 3 car-share) in two underground parking levels for both buildings. A total of 179 bicycle parking spaces.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
R E Millward & Associates Limited		RAW Design (Roland Colthoff)	Ana Ribeiro

**PLANNING CONTROLS**

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	I1 D2	Historical Status:
Height Limit (m):	14	Site Plan Control Area:

**PROJECT INFORMATION**

Site Area (sq. m):	3987.38	Height: Storeys:	8
Frontage (m):	142	Metres:	23.92
Depth (m):	46		
Total Ground Floor Area (sq. m):	2777		<b>Total</b>
Total Residential GFA (sq. m):	15478	Parking Spaces:	128
Total Non-Residential GFA (sq. m):	1005	Loading Docks	1
Total GFA (sq. m):	16483		
Lot Coverage Ratio (%):	70		
Floor Space Index:	4.15		

**DWELLING UNITS**

**FLOOR AREA BREAKDOWN (upon project completion)**

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	15478	0
Bachelor:	7	Retail GFA (sq. m):	1005	0
1 Bedroom:	97	Office GFA (sq. m):	0	0
2 Bedroom:	55	Industrial GFA (sq. m):	0	0
3 + Bedroom:	18	Institutional/Other GFA (sq. m):	388	0
Total Units:	177			

**CONTACT: PLANNER NAME: Dan Nicholson, Planner**  
**TELEPHONE: (416) 395-7110**

## **Attachment 10: Draft Zoning By-law Amendment**

Draft Zoning By-law Amendment to be provided at the November 6, 2012 meeting of Toronto and East York Community Council.